EXHIBIT A

CHARGE OF UNFAIR LABOR PRACTICE(S) UNDER THE PENNSYLVANIA LABOR RELATIONS ACT AND ACT 111

Fraternal Order of Police
Lodge No. 29

COMPLAINANT

v.

City of Williamsport

RESPONDENT

DO NOT WRITE IN THIS SPACE
CASE NO. PF-C-15-38-E
DATE FILED MAY 18 2015

TO THE HONORABLE, THE MEMBERS OF THE PENNSYLVANIA LABOR RELATIONS BOARD:

COMPLAINANT INFORMATION

Fraternal Order of Police, Lodge No. 29
Employe, Employe Organization or Employer

Anthony M. Caputo, Esquire — Solicitor
Name of Person filing charge on behalf of Complainant — Title

Law Office of Anthony M. Caputo, P.O. Box 6652
Address

Harrisburg — PA — 17112
City — State — Zip

(717) 579-3699
Telephone

HEREBY CHARGES THAT

RESPONDENT INFORMATION

City of Williamsport
Employer, Employe Organization or Employe alleged to have committed unfair labor practice(s)

245 West 4th Street
Address

Williamsport — PA — 17701
City — State — Zip

(570) 327-7550
Telephone

HAS ENGAGED IN UNFAIR LABOR PRACTICE(S) CONTRARY TO THE PROVISIONS OF THE PENNSYLVANIA LABOR RELATIONS ACT, SECTION 6 AS FOLLOWS:

Choose one:	Choose all that apply:	
☑ subsection (1)	☑ clause (a)	☐ clause (d)
○ subsection (2)	☑ clause (b)	☐ clause (e)
	☑ clause (c)	☐ clause (f)

☐ Check here if more than one respondent and list on separate sheet.

☐ Check here if a grievance relating to this issue has been filed and enclose three (3) copies of the grievance and one (1) copy of the Collective Bargaining Agreement to assist in review of this charge.

FAILURE TO ENCLOSE THESE DOCUMENTS WILL CAUSE A DELAY IN PROCESSING.

SPECIFICATION OF CHARGES

Set forth all of the events alleged to constitute the unfair labor practice(s). Include specific facts, dates, names, addresses, place of occurrence, and other relevant facts. If additional space is needed, please continue on additional sheet(s).

See attached.

WHEREFORE, the Complainant respectfully requests the Pennsylvania Labor Relations Board to enter the charge upon the Docket of the said Board and to issue and cause to be served upon the Respondent above named a Complaint stating the charge(s) of unfair labor practice(s).

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Dauphin : ss

On this 14 day of May, 2015, before me, a Notary Public, in and for said County and State, personally appeared Anthony Caputo who being duly sworn according to law, deposes and says that he/she is the person filing the foregoing CHARGE OF UNFAIR LABOR PRACTICE(S) and is aware of the contents hereof and that the matters and facts set forth herein are true and correct to the best of his or her knowledge, information and belief.

SWORN AND SUBSCRIBED TO before me
the day and year first aforesaid.

Signature of Notary

NOTARIAL SEAL
REBECCA L. OLIVER, NOTARY PUBLIC
LOWER PAXTON TOWNSHIP, DAUPHIN COUNTY, PA
COMMISSION EXPIRES OCTOBER 16, 2016

Signature of Complainant or Representative

FAILURE TO FILE AN ORIGINAL AND THREE (3) COPIES OF THE CHARGE AND ALL ACCOMPANYING EXHIBITS MAY DELAY PROCESSING.

Specification of Charges

1. Complainant, Fraternal Order of Police, Lodge No. 29, (FOP) is the exclusive, recognized bargaining agent for the unit consisting of police officers below the rank of captain, employed by the City of Williamsport, pursuant to the Pennsylvania Labor Relations Act (PLRA) and Act 111 of 1968 (Act 111).

2. Respondent, City of Williamsport, (City) is a public employer of Complainant's members within the meaning of the PLRA and Act 111.

3. On February 13, 2015, Captain Timothy Miller issued a memorandum prohibiting members of FOP from having contact with the media and from having contact with elected officials. (A true and correct copy of the February 13, 2015 memorandum is attached as Exhibit A).

4. The February 13, 2015 memorandum further threatened members of FOP would be disciplined for engaging in undefined acts of "disloyalty."

5. Through labor counsel, the FOP objected to the February 13, 2015 memorandum from Captain Miller.

6. On February 17, 2015, Captain Miller rescinded his February 13, 2015 memorandum. (A true and correct copy of the February 17, 2015 memorandum is attached as Exhibit B).

7. The year 2015 is an election year within the City, with various citizens campaigning for the position of Mayor of Williamsport.

8. As FOP President, Lt. Steve Helm has been approached by various political candidates, including the incumbent mayor, to discuss matters pertaining to the City, the Bureau of Police and the FOP.

9. While on duty, Miller took several photographs of FOP President Helm conversing with political candidates.

10. Captain Miller then included those photographs in several Facebook posts with his added commentary. (True and correct copies of Captain Miller's Facebook posts are attached as Exhibit C).

11. Captain Miller's actions are designed to intimidate and coerce members of FOP from engaging in legitimate union activities.

WHEREFORE, Respondents have committed unfair labor practices in violation of Sections 6(1)(a) (b) and (c) of the Pennsylvania Labor Relations Act and Act 111 of 1968. All appropriate relief is requested.

From: Timothy Miller
Sent: Friday, February 13, 2015 3:03 PM
To: Bureau of Police Distribution List
Subject: media leak

It has become obvious that a member of our department is leaking information to people outside the bureau including the media. This is a direct violation of policy and a direct act of disloyalty to the Bureau. This will not be tolerated and SHALL cease immediately. NO one is authorized to release any information to the media without authorization from command staff. An internal investigation is imminent and the source of this leak will be identified and disciplined appropriately. This investigation may result in the use of the polygraph to identify the source of this leak. This order will include any acts of disloyalty committed by talking to members of City council and others without direct authorization of Command staff. This message is per Chief foresman

From: Timothy Miller
Sent: Tuesday, February 17, 2015 3:29 PM
To: Bureau of Police Distribution List
Subject: media leak

To all members of the department, first I would like to apologize for the very straight forwardness of the email regarding the media leak. At the time it was crafted I did not think that members would take it so literally and I guess I can agree that I could have been a little more descriptive in what would be considered leaking information or when it is appropriate to speak to members of the media and or city officials as clearly there are times when it is appropriate as in times when corruption is suspected and a few other obvious circumstances. This order is hereby rescinded as it is currently written however will be readdressed in an appropriate manner ASAP. In the meantime any and all persons who speak to the media shall do so in accordance with PP29 Media policy and outside the department follow PP70 Officers conduct (3) loyalty to the Bureau.

FaceBook Postings

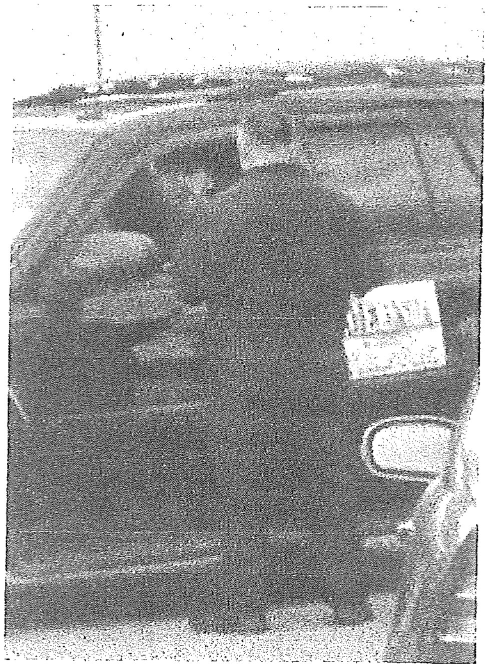
#1 posted 4/29/15

#2 posted 5/1/15

Verizon LTE 5:50 PM
facebook.com

Tim Miller
21 mins ·

Politics or coincidence? Hmmm this guy calls for my resignation and is chumming with the competition? The alliances are beginning to take shape.

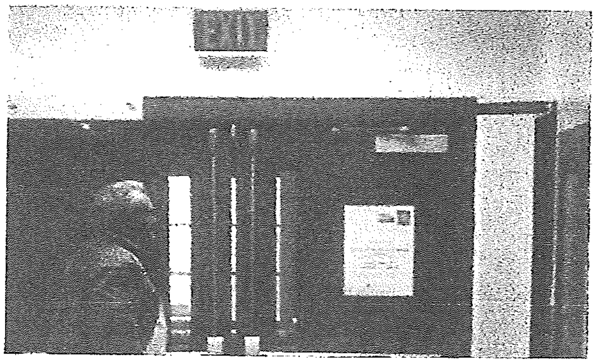


Verizon 3G 9:05 PM 76%

Tim Miller

Tim Miller
4 hrs ·

Same guy hiding behind doorway that was leaning in car window. What makes any politician think its OK to pull this crap blatantly in our workplace. Besides shouldn't he be pretending to be the statue of liberty or something.



News Feed Requests Messenger Notifications More

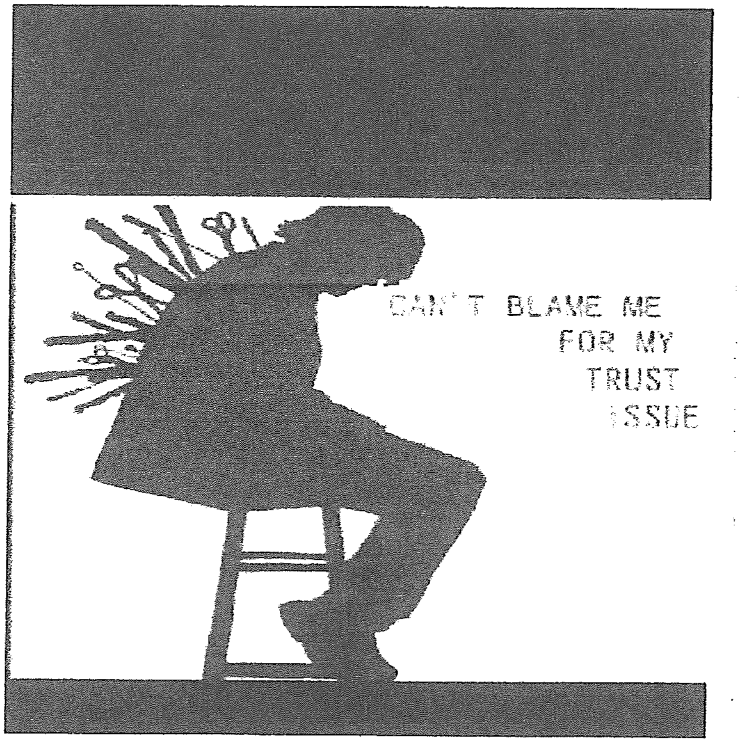
●●●○○ Verizon LTE 1:50 PM

facebook.com

Tim Miller

May 1 at 7:28am ·

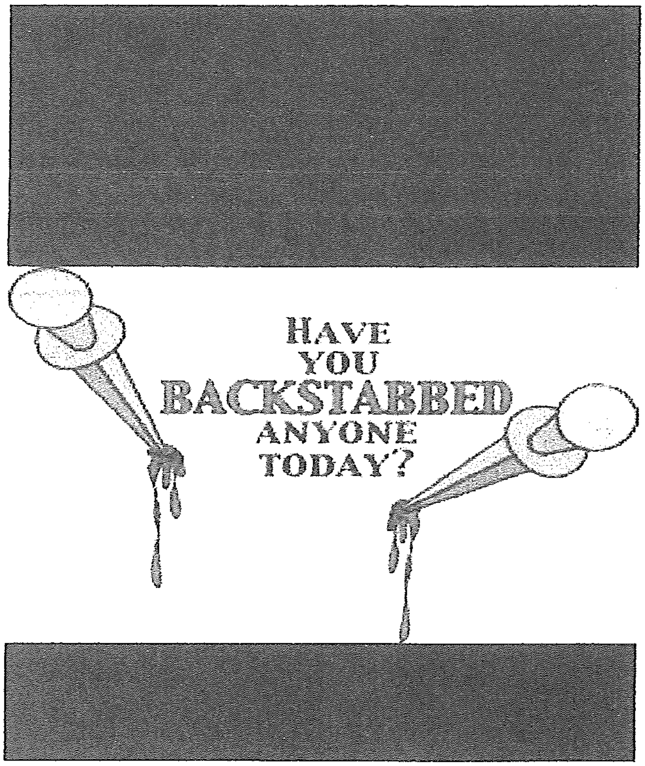
Today's wisdom. Be careful who you trust.


CAN'T BLAME ME
FOR MY
TRUST
ISSUE

●●●○○ Verizon LTE 1:49 PM
facebook.com

Tim Miller
May 1 at 10:36pm

Time to pause for station identification lol.


HAVE YOU BACKSTABBED ANYONE TODAY?

19 Likes · 14 Comments